McNamee, Lochner, Titus & Williams, P.C.

ATTORNEYS AT LAW

MORGAN A. COSTELLO
Direct Dial
(518) 447-3243
costello@mltw.com

March 1, 2006

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DAVID R. HOMER
UNITED STATES MAGISTRATE JUDGE
ALBANY, NEW YORK

Electronically Filed

Hon. David R. Homer
United States District Court Magistrate Judge
Northern District of New York
James T. Foley U.S. Courthouse
455 Broadway
Albany, New York 12207-2974

Re: Priddis Music, Inc. v. Trans World Entertainment Corporation
Civil Action No. 05-CV-0491 (DNH/DRH)

Dear Judge Homer:

I am writing to request a modification of the Uniform Pretrial Scheduling Order to extend the expert disclosure deadlines for both parties by thirty (30) days. Under the Scheduling Order, plaintiff's expert disclosures are due no later than 90 days prior to the discovery deadline, defendant's expert disclosure are due no later than 45 days prior to the discovery deadline and the parties' rebuttal expert disclosures are due 30 days prior to the discovery deadline.

The discovery deadline in this case is June 1, 2006, making plaintiff's expert disclosure due on or before March 3, 2006. As the parties have just recently completed exchanging their initial disclosure documents and have not yet received responses to further discovery requests, the parties have agreed to extend the expert disclosure deadlines for each party by thirty (30) days. Thus, plaintiff's expert disclosures would be due no later than April 2, 2006, defendant's disclosures would be due no later than May 17, 2006 and any rebuttal expert disclosure would be due no later than June 1, 2006.

No party will be prejudiced by this requested extension and no other requests to modify the Scheduling Order have been made. Therefore, plaintiff respectfully requests that you enter an Order modifying the Scheduling Order as set forth above.

Dockets.Justia.com

Respectfully submitted,

s/ Morgan A. Costello

cc: J. Matthew Donohue, Esq.
Philip J. Iovieno, Esq.,
Boies, Schiller & Flexner LLP
(cc: electronically)

The motion filing deadline remains August 1, 2006. DRH

SO ORDERED:

David R. Homer

Hon. David R. Homer
United States District Court Magistrate Judge

3/2/06